

**Fire Safety Code Board  
Of Appeal and Review  
Hearing Minutes for February 9, 2010**

**The Rhode Island Fire Safety Code Board of Appeal & Review met at their headquarters located at 1 Regan Court, Varley Building #46, in Cranston, RI on Tuesday, February 9, 2010 at 1:00 P.M. Present were Chairman Coutu, Vice Chairman Newbrook and Commissioners Dias, Pearson, Preiss, Filippi, Walker and Richard. Commissioners Jasparro, Jackson and Blackburn were absent. Also present were Executive Director Thomas Coffey and Deputy Director Carol Marsella. The following cases were heard.**

**APPEAL #070358: Nickerson Community Center, for the property located at 133 Delaine Street, Providence. Assistant Deputy State Fire Marshals Fournier and Kreizinger appeared for the Providence Fire Marshal's Office and Chief of Inspections Scott Caron appeared for the State Fire Marshal's office. Commissioner Richard made a motion, seconded by Commissioner Filippi and Vice Chairman Newbrook, to grant the following relief. The State Fire Marshal's office will post the occupancy of the gymnasium at below 300 people, at which point sprinklers will not be required for the gymnasium. The Applicant is directed to install a key box at this location, at the direction, to the satisfaction and within a timetable established by the State and Providence Fire Marshal's offices. The Applicant is granted a time variance of 120 days in which to either provide documentation**

of the flame spread rating of the cited vinyl mats or to replace the mats with those that are code compliant. Finally, the Applicant is directed to install/upgrade a new fire alarm system at the direction and to the satisfaction the State and Providence Fire Marshal's offices, and to maintain the current system until the new system is in place. The motion was unanimous.

**APPEAL #080014:** Hamill Corporation, for the property located at 102 Putnam Pike, Harmony. DSFM Kaitlyn Foley appeared for the State Fire Marshal's office. Commissioner Pearson recused himself from consideration of this case. Vice Chairman Newbrook made a motion, seconded by Commissioner Richard, to grant the following relief. The Board directs the Applicant to present a seating plan for this facility to the State Fire Marshal's office within thirty (30) days. The Applicant testified that the total building occupancy is 298, and this occupancy in this organized dining facility is currently posted at 200 persons. No sprinkler system is required. The Applicant is granted a variance in order to be allowed to maintain one exit from the basement of this facility, which is used for storage and has no public access. The motion was unanimous.

**APPEAL #080293:** Babcock Village Apartments, for the property located at 122 Cross Street in Westerly. DSFM Kaitlyn Foley appeared for the State Fire Marshal's office. Commissioner Walker made a motion, seconded by Commissioners Richard and Dias, to grant the Applicant a variance in order to be allowed to install CO

detection outside of the boiler room of this facility. The Applicant testified that there are no attached garages and all cooking is done on electric stoves. The Applicant is also granted a time variance of thirty days in which to present plans to the State Fire Marshal's office for the installation of double action pull stations in this facility, and an additional 120 days in which to complete the installation. The State Fire Marshal's office is granted the authority to extend the above deadlines for good faith efforts being shown by the Applicant.

**APPEAL #080362:** Andrea Hotel, for the property located at 89 Atlantic Avenue in Westerly. DSFM Kaitlyn Foley appeared for the State Fire Marshal's office. Commissioner Richard made a motion, seconded by Commissioner Pearson, to grant the Applicant variances, based on structural hardship, for the height of cited exit signs pipes and smoke detectors, headroom on stairs, depth of cited winders, and width of a cited hallway in this hotel built in the early 1900s. All other deficiencies noted by the State Fire Marshal's office have been corrected. The motion was unanimous.

**APPEAL #080003:** Mr. Robert Elmer, for the property located at 22 Elm Street in Westerly. DSFM David Cionfolo appeared for the State Fire Marshal's office and Chief David Sayles appeared for the Westerly Fire Department. Chief Sayles requested a continuance for a third party review of this facility, and also requested that this facility be evaluated using NFPA 101A. Commissioner Walker made a motion, seconded by Commissioner Dias and Vice Chairman

**Newbrook, to grant the Applicant a time variance of ninety (90) days in which to have a third party review this facility, and to allow the use of NFPA 101A for the evaluation. The motion was unanimous.**

**APPEAL #070067: Mr. James Fortier, for the property located at 52-58 Roberts Street in Woonsocket. ADSFM Frank Dunton appeared for the Woonsocket Fire Marshal's office. Commissioner Dias made a motion, seconded by Commissioner Walker and Vice Chairman Newbrook, to grant the following relief. The Applicant is granted a variance to allow him to install portable fire extinguishers within the individual apartments. The Applicant is granted a time variance of thirty (30) days in which to present plans to the Woonsocket Fire Marshal's office for the correction of any outstanding deficiencies within this facility, and an additional 120 days for the implementation of that plan, which includes, but is not limited to, the installation of a modified sprinkler system in the rear fourth floor stairwell. The Woonsocket Fire Marshal's office is granted the authority to extend the above time line for good faith efforts being shown by the Applicant. The motion was unanimous.**

**APPEAL #070114: Mr. Robert Lussier, for the property located at 33 Hamlet Avenue in Woonsocket. ADSFM Frank Dunton appeared for the Woonsocket Fire Marshal's office. Commissioner Pearson made a motion, seconded by Commissioner Filippi and Vice Chairman Newbrook, to grant the Applicant a time variance of thirty days in which to present plans to the Woonsocket Fire Marshal's office for**

the installation of a municipally connected fire alarm system within this facility, and an additional 120 days in which to implement that plan. The Woonsocket Fire Marshal is granted the authority to extend the above deadlines for good faith efforts being shown by the Applicant.

**APPEAL #070126:** Mr. Edward Kelleher, for the property located at 212 North Main Street in Woonsocket. ADSFM Frank Dunton appeared for the Woonsocket Fire Marshal's office. Commissioner Dias made a motion, seconded by Vice Chairman Newbrook, to grant the following relief. The Applicant is directed to install emergency lighting where necessary, at the direction and to the satisfaction of the Woonsocket Fire Marshal's office. Additionally, the Applicant is directed to achieve suitable separation between the mercantile and the residential occupancies, also at the direction and to the satisfaction of the Woonsocket Fire Marshal's office. Hardwired smoke detection shall be provided to the residential portion of this facility within the time frame established for three-family dwellings. The motion was unanimous.

**APPEAL #070081:** Boucher Properties, for the property located at 191 Social Street in Woonsocket. ADSFM Frank Dunton appeared for the Woonsocket Fire Marshal's office. The Applicant requested additional time to evaluate and prepare a plan of action for this facility. This case is continued to April 13, 2010.

**Respectfully submitted**

**Carol Marsella**